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Federal Intentional Murder
San Francisco**FILED**

JUN 8 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,)

14 Plaintiff,)

15 v.)

16 COLBY SHAWN PATTON,)

17 Defendant.)
18

No. 3-06-70324 EDL

[PROPOSED] ORDER AND STIPULATION
CONTINUING JUNE 15, 2006 HEARING
TO JUNE 23, 2006, AND WAIVING TIME
UNDER RULE 5.1 AND EXCLUDING
TIME FROM JUNE 2, 2006 TO JUNE 23,
2006 FROM THE SPEEDY TRIAL ACT
CALCULATION
(18 U.S.C. § 3161(h)(8)(A))

19 The parties appeared before the Court on June 2, 2006. At that time, the Court ordered
20 the defendant released on certain conditions, and scheduled a preliminary hearing/arraignment
21 date of June 15, 2006 at 9:30 a.m., before the Honorable Maria-Elena James.

22 The parties have since stipulated to continue the June 15, 2006 preliminary
23 hearing/arraignment and reschedule it for June 23, 2006 at 9:30 a.m., before the Honorable
24 Maria-Elena James. This stipulation and [proposed] order (1) schedules a new hearing date, (2)
25 documents the defendant's waiver of time limits under Federal Rule of Criminal Procedure 5.1,
26 and (3) documents the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A),
27 from June 2, 2006 to June 23, 2006.

28 The parties have agreed, and the Court finds and holds, as follows:

11 3. The defendant agrees to an exclusion of time under the Speedy Trial Act. Failure to
12 grant the requested continuance would unreasonably deny both government and defense counsel
13 reasonable time necessary for effective preparation, taking into account the exercise of due
14 diligence, and the need for both sides to investigate the facts of the case, and would deny the
15 defendant and the government continuity of counsel.

19 5. Accordingly, and with the consent of the defendant, the Court orders that the period
20 from June 2, 2006 to June 23, 2006 be excluded from Speedy Trial Act calculations under 18
21 U.S.C. § 3161(h)(8)(A) & (B)(iv).

25 IT IS SO STIPULATED.

28

1
2 DATED: 6/8/06

/s/ 
JOSH COHEN
Attorney for COLBY SHAWN PATTON

3
4 **IT IS SO ORDERED.**

5 DATED: 6/8/06


THE HON. MARIA-ELENA JAMES
United States Magistrate Judge